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Letter dated 6 March 2008 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

On the instructions of my Government, I have the honour to transmit to you herewith a letter setting out the position of the Syrian Arab Republic concerning the sixth report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (see annex).

I would highly appreciate it if the present letter and its annex were circulated as a document of the General Assembly, under agenda item 17, and of the Security Council, before the date of discussion of that report by the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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Annex to the letter dated 6 March 2008 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

[Original: Arabic]

1. Syria reaffirms its condemnation of the aggression committed by Israel against Lebanon in July 2006 which resulted and continues to result in death and injury to thousands of innocent Lebanese and in the adoption by the Security Council of resolution 1701 (2006). The Syrian Arab Republic emphasizes the necessity of implementing that resolution unselectively and without targeting those who were the principal victims of that tragic aggression, particularly as the resolution was adopted above all to put an end to the Israeli aggression against Lebanon in July 2006.

2. The Syrian Arab Republic reiterates its request to the Security Council to assume its responsibilities impartially and on a basis of neutrality and to take up the matter of Israel and punish it for its persistent violations of resolution 1701 (2006) on a more or less daily basis as emphasized by the Secretary-General in paragraphs 17 and 29 of his most recent report. He referred in paragraph 17 to the fact that UNIFIL had observed a significant number of Israeli air violation of Lebanese airspace. A particularly large number of air violations were reported on 7 and 11 February 2008 over Lebanese territory and its territorial waters, and a number of aircraft were flying at low altitude, including over UNIFIL headquarters in Naqoura. The report stated that, on 17 February 2008, in other words on a single day, 36 air violations had been recorded. The Permanent Representative of Lebanon in his most recent letter dated 15 February 2008 had mentioned that, during the period covered by the report, there had been 247 air violations, 27 sea violations and 118 land violations and he added that these Israeli violations, particularly those on land, had become systematic and that Israel had deliberately and repeatedly infiltrated Lebanese territory to kidnap Lebanese citizens as stated by the Secretary-General in paragraphs 9, 10 and 13. These violations which have been officially documented by the United Nations on the basis of the report of the Secretary-General, the reports of the UNIFIL command and the numerous letters sent by the Permanent Mission of Lebanon on a regular basis make it incumbent on the Security Council to call Israel to account and punish it for these violations and make it necessary for the Secretary-General to highlight the fact that such practices are a blatant violation of resolution 1701 (2006). We had expected the Secretary-General not to confine himself in paragraph 29 of his report to expressing concern at the continuation of these violations and not to take the view in paragraph 17 of his report that flights by Israeli warplanes over UNIFIL headquarters in Naqoura were merely routine formations or training exercises, particularly as the Secretary-General had described such violations in the same paragraph 17 of his report as constituting violations of Lebanese sovereignty and of resolution 1701 (2006). That being so, we would have hoped that the Secretary-General would be consistent with the import of said paragraph and would request the Security Council to call Israel to account for its violations of that resolution. A matter of still greater regret is that the Security Council has not once responded to the requests of Lebanon to put an end to the repeated Israeli violations despite the fact that certain active members of the Council claimed to be concerned about the stability and integrity of Lebanon and called for the adoption of resolutions and statements of condemnation against Lebanon whenever so requested by Israel.

3. The report reiterates the allegations concerning the smuggling of weapons across the Syrian-Lebanese border. In its earlier letters, the most recent of which was document S/2007/724 of 10 December 2007, Syria affirmed that those allegations were motivated by politics rather than by security considerations and that their purpose was to provide cover for Israel's constant violations of Lebanese sovereignty and of resolution 1701 (2006) and to involve Syria in the said resolution for reasons that are well known to all. This was affirmed in the report of the Secretary-General in paragraph 43 which referred to the fact that the joint force for border surveillance in Lebanon which comprises the four Lebanese security agencies whose area of operations extends some 130 kilometres along Lebanon's northern frontier with Syria had stated that "to date, the force has not discovered any case of smuggling of weapons in its area of operations". This important information from Lebanon is consistent with the statements made earlier by senior Lebanese officials denying the existence of any smuggling and is also consistent with the report of the Lebanon Independent Border Assessment Team (LIBAT) contained in document S/2007/382 of 26 June 2007 in paragraphs 45 and 120. Paragraph 45 stated that "Authorities did not present the Team with reports on seizure of weapons or ammunition at any of the four official border crossing points since the adoption of resolution 1701 (2006)." Similarly, paragraph 120 stated: "All seizures were of traditional smuggled goods, such as diesel fuel, clothes, cement or food. No seizures of weapons or explosives were made. Although a few seizures of illegal weapons have been reported, according to the border security agencies none were in direct connection with a border-crossing activity and none has been documented en route from across the Syrian border. In all cases known to the Team, the claim has been that they were internal weapons transports between different locations inside Lebanon."

4. The purpose of these Israeli allegations about weapons smuggling across the Syrian-Lebanese border is to find a pretext for Israel's violation of resolution 1701 (2006). As we pointed out in our earlier letters, no significance should be attached to these allegations because Israel is hostile to Syria and occupies part of its territory contrary to international law and to hundreds of relevant resolutions emanating from the General Assembly, the Security Council, the Human Rights Council and the specialized agencies of the United Nations as documented for decades by the Secretariat. The repetition of these allegations in the report of the Secretary-General is at variance with what is stated in paragraph 43 of the same report to the effect that the four Lebanese security agencies did not discover any case of smuggling of weapons in its area of operations on the Syrian-Lebanese border. That made it incumbent on the Secretariat not to reconsider those allegations, to disregard them and to consider the information provided by us and what was stated by the Permanent Representative of Lebanon in his most recent letter to the effect that "unsubstantiated allegations of illicit movements across the border serve no useful purpose". The role that we expect the Secretariat of the United Nations to play is to reduce any tensions in the relations between Member States in the region and not to fabricate problems that are used by certain parties to the detriment of the historic relations between two neighbouring Arab countries.

5. The Syrian Arab Republic reaffirms that, under international law, border demarcation is a bilateral matter pertaining to State sovereignty that should be resolved by the Syrian and Lebanese Governments. In that connection, we point out that we would have expected the Secretary-General to indicate in his report that the

real reason behind the delay in resolving the question of the Shab'a Farms, and of the Middle East in general, is Israel's continued occupation of those farms and the occupied Syrian Golan, and its refusal to comply with international resolutions. We would also have expected him to request Israel unequivocally to implement those resolutions and withdraw from occupied Syrian and Lebanese territories. Yet instead of mentioning Israel by name in paragraph 73 of the report, he chose to urge the Syrian and Lebanese Governments to take practical steps towards demarcating their common border, as though the Israeli occupation of Shab'a Farms had no relation to the matter at hand. We should like to reiterate that, as stated in our previous letters, the Syrian Arab Republic is prepared to begin demarcating the Syrian-Lebanese borders, starting from the north for reasons of practical necessity because the southern part of the common border, including the Shab'a Farms, is under Israeli occupation.

6. The Syrian Arab Republic reaffirms that contacts between the Syrian and Lebanese sides regarding control of their common borders have not ceased. In our letter of 2 November 2007, we notified the Secretary-General and the President and members of the Security Council that the two sides had met 17 times between 6 December 2005 and 29 August 2007. We will continue to inform the Secretariat and the Council of the outcome of future meetings. The continuation of these contacts confirms the responsible commitment of both sides to bilateral control of their borders.

7. The Syrian Arab Republic reaffirms that it has doubled the number of border guards on the Syrian side. We should also like to point out that, as the Secretary-General indicated in paragraph 29 of his report, the Syrian Arab Republic had requested a number of European States to provide it with technical equipment to assist it with monitoring its borders and training Syrian personnel to perform this task. However, it has yet to receive a response from those States, which have provided only the Lebanese side with the equipment requested.

8. The Syrian Arab Republic wishes to emphasize that the Palestinian presence in Lebanon is regulated by the Cairo Agreement of 1969 between Lebanon and the Palestine Liberation Organization, that those bilateral arrangements have nothing to do with the Syrian Arab Republic, and that all Palestinian positions in Lebanon are on Lebanese territory exclusively. Consequently, the Syrian Arab Republic is not responsible for any defects, should any exist, in the agreements signed by the Palestinian and Lebanese sides.

9. The Syrian Arab Republic condemns Israel's continued refusal to supply information on the cluster munitions it dropped during its brutal aggression against Lebanon in 2006, as well as its refusal to supply maps of landmines that, according to the Secretary-General's report, since 2006 "have led to 27 civilian fatalities and 209 civilian injuries, as well as 14 mine clearance fatalities (including one UNIFIL peacekeeper) and 34 mine clearance injuries". The Secretary-General affirmed in paragraph 74 that preliminary findings are that the information on cluster munitions provided by Israel on 5 February 2008 is of very limited value. We would have expected that the Secretary-General's report would not limit itself to merely calling on the Government of Israel — in neutral language — to provide the United Nations with this information, but would condemn the failure to provide the United Nations with these maps to date and call on the Security Council to assume its responsibilities and take measures to punish Israel, particularly in the light of the

large number of casualties that have been and continue to be caused by these internationally prohibited munitions, as noted by the Secretary-General in paragraph 51 of his report.

10. The Secretary-General states in paragraph 20 that "as long as the Israel Defence Forces remain in northern Ghajar, Israel will not have completed its withdrawal from southern Lebanon, in accordance with its obligations under resolution 1701 (2006)" and in paragraph 70 that that "constitutes a continuing violation of Lebanon's sovereignty, resolution 1701 (2006) and the Blue Line". In this regard, we would have hoped that the Secretary-General would not have confined his position in paragraph 20 to urging "the parties to take a constructive approach so that this ... issue can be resolved ...", but would have called on Israel to comply fully with Security Council resolution 1701 (2006) by withdrawing from the northern part of the Syrian village of Ghajar which was occupied in 1967.

11. Syria calls on others to respect the sovereignty, political independence and territorial integrity of Lebanon and the rule of non-interference in its internal affairs, in theory and in practice, to preserve the peace and security of this neighbouring country which has suffered considerably because of external intervention in its internal affairs. In this regard, we note that the unilateral decision by the United States administration to station five military ships off the coast of Lebanon on the pretext of protecting stability in Lebanon threatens stability in Lebanon and jeopardizes the efforts of UNIFIL.

12. Finally, Syria would like to reaffirm its enduring respect for the independence, sovereignty, territorial integrity and people of the fraternal and neighbouring Arab State of Lebanon, and its desire to maintain the best possible relations with it and to resolve all outstanding problems between the two countries, provided that such a desire is reciprocated by the Lebanese Government. Syria hopes that the Secretariat and certain members of the Security Council will exert a positive influence on relations between the two countries instead of attempting to fuel existing differences and create new ones that only serve those who wish to see a deterioration in the historical relations between the two fraternal peoples.